

The 18th July, 1985

No. 9/5/84-6Lab/6069.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s K. R. Alloys Pvt. Ltd. village Kaili Ballabgarh :—

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 58 of 1984

between

SHRI RAMJI LAL, WORKMAN AND THE MANAGEMENT OF M/S K. R. ALLOY PVT. LTD.
VILLAGE KAILI, BALLABGARH.

Present.—

Shri Jagbir Singh, Badhana for the management.

None for the workman.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Ramji Lal Workman and the management of M/s K. R. Alloy Pvt. Ltd., Village Kaili, Ballabgarh to this Tribunal for adjudication:—

Whether the termination of service of Shri Ramji Lal was justified and in order? If not to what relief is he entitled?

2. Notices were issued to both the parties. It may be mentioned that none appeared on behalf of the workman on the last date of hearing and as such *ex-parte* proceedings were ordered against him. The Management examined Shri Norang Lal Sharma as MW-1, who stated that the claimant was employed in the respondent factory on 1st/2nd April, 1983 and his application form was Ex.M-1 and that Ex.M-2 was the copy of the appointment letter. He further stated that the claimant was appointed on temporary basis for six months and that he identified the signatures of Shri K.C. Mehanti, Managing Director, on the letter Ex-M.2. He further stated that after expiry of period of six months, the claimant was discharged,—vide letter Ex. M-3 and he identify in the signatures of Shri K. C. K. C. M. C. Mehanti on that letter. He then stated that letter Ex. M-3 was handed over to the claimant on 29th September, 1983 and was asked to collect his dues on 7th October, 1983 when he came to the factory and affixed his signatures in the payment of wages register, but he left the factory without collecting his dues which were paid to him in the conciliation Office.

3. The above testimony of MW-1 Shri Norang Lal Sharma shows that the claimant was appointed for six months with effect from 1st April, 1983 on the basis of the appointment letter Ex. M-2 and his services were terminated with effect from 1st October, 1983 on the expiry of the period of six months,—vide letter Ex. M-3. Consequently, the provisions of Section 25-F of the Industrial Disputes Act, 1947, are not attracted to the facts of the present case because the claimant did not complete the period of 240 days and he had served the respondent for 180 days only. As such, the termination of service of the claimant was justified and in order. Consequently, the claimant is not entitled to any relief. The award is passed accordingly.

R. N. BATRA,

Dated the 9th July, 1985.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 538, dated the 9th July, 1985.

Forwarded (four copies) to the Commissioner and Secretary to Government Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.